IN THE CLAIMS:

1. (amended) A flood gate for use in [a foundation crawl] an enclosed space [and the like], the flood gate comprising:

a frame having side walls defining a fluid passageway therethrough;

a door pivotally mounted in said frame for bidirectional rotation between two open positions and a closed position therebetween to permit tidal water flow therethrough; and,

at least one catching assembly for holding the door in said closed position against a minimum level of pressure of said tidal water flow;

whereby tidal flood waters exceeding said minimum pressure level are automatically vented through said [crawl] enclosed space [and the like] reducing a risk of structural damage from said tidal flood waters.

2. (amended) The [A] flood gate according to claim 1, wherein said flood gate comprises:

said door having a ventilation opening;

an automatic louver assembly for controlling air flow through said opening; and,

a screen covering said opening.

3. (amended) The [A] flood gate according to claim 2 wherein said automatic louver assembly opens and closes responsive to ambient temperature.

4. (amended) The [A] flood gate according to claim 2, wherein said automatic louver assembly comprises:

a plurality of louvers;

a temperature sensitive actuating device; and,

a member connecting said plurality of louvers to said temperature sensitive actuating device[;].

6 5. (amended) The [A] flood gate according to claim 1, wherein said catching assembly comprises:

at least one catch;

at least one resilient member; and,

at least one detent sleeve;

whereby the catching assembly can maintain said door in said closed position until said minimum pressure is applied to cause the door to swing into one of said open positions.

5 6. (amended) The [A] flood gate according to claim [1] 2, wherein said screen comprises:

a mesh grille; and,

a screening ~~a screen~~ over said grille;

whereby small animals, insects and other pests are denied access to said [crawl] enclosed space [and the like] notwithstanding ventilation of said enclosed ~~crawl~~ space ~~and the like~~.

7 8. (amended) The [A] method as recited in claim 7, wherein said step of automatically adjusting said vents ~~said automatic adjusting of vents~~ comprises the steps of:

automatically sensing said ambient temperature;

automatically opening said vents in response to warmer ambient temperatures; and,

automatically closing said vents in response to cooler ambient temperatures.

10 9. (amended) The [A] method as recited in claim 8, comprising the steps of:

automatically biasing said vent door to said closed position; and,

releasably latching said vent door in said closed position.

11 10. (amended) The [A] method as recited in claim 8, comprising the [steps] step of allowing said vent door to swing open in the direction of said [utidal] tidal flow.

Please add the following:

7 --11. The flood gate according to claim 1 wherein said enclosed ~~spaced~~ space is a foundation crawl space.

REMARKS

The foregoing Amendment and these Remarks are in response to the Examiner's Office Action (Paper No. 6) dated January 6, 1999. This Amendment is timely filed. At the time of the Examiner's Action, Claims 1-10 were pending. Of those claims, Claims 1-6 were rejected and Claims 7-10 were allowed.

Applicant notes the objections of the official Draftsperson